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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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AZ CORP COMMISSION  
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IN THE MATTER OF THE INVESTIGATION  
OF THE COST OF TELECOMMUNICATIONS  
ACCESS

DOCKET NO. T00000D-00-0672

**OPPOSITION OF COMMISSION STAFF TO  
CITIZENS' MOTION TO CONSOLIDATE  
AND MOTION FOR RECONSIDERATION**

On August 1, 2002, Citizens Communications Company, Navajo Communications Company, Inc., Citizens Telecommunications Company of White Mountains, Inc., dba Frontier Communications of White Mountains and Citizens Utilities Rural Company, Inc., dba Frontier Citizens Utilities Rural (collectively, "Citizens") moved to consolidate this Docket with the Commission's Arizona Universal Service Fund ('AUSF') Rulemaking, No. RT-00000H-97-0137. Staff files this opposition to the Motion and respectfully requests that the Commission deny it.

Citizens states in support of its Motion that "[t]he issues in each docket are substantially related and that the rights of all parties of record will not be prejudiced by such procedure." Id. at p. 1. Staff disagrees and submits that the issues and procedural tracks for these Dockets are substantially different such that consolidation would not be appropriate. In addition, Citizens had ample opportunity to raise this issue before now, when both proceedings are well underway.

With regard to the issues being addressed, the investigation into the cost of telecommunications access is examining whether the access charges of Arizona ILECs reflect their costs, and if not, what is the appropriate cost structure in the future. The AUSF rulemaking docket is examining whether changes to the current AUSF rules are appropriate given universal service fund changes at the federal level. The only link between the two Dockets is the issue of whether any

1 access charge reductions brought about through restructuring, should be covered through the Arizona  
2 Universal Service Fund, or other methods such as end user surcharges or rate revisions. Staff does  
3 not believe that the Dockets need to be consolidated to address this issue. In fact, given the  
4 complexity of the issues in each of the respective Dockets, Staff submits that it would be less  
5 confusing to address the universal service and access cost issues separately.

6 With regard to process, both Dockets are on much different procedural tracks. The Access  
7 Charge Docket is being conducted through an evidentiary hearing process, which is appropriate,  
8 given the nature of the issues. Further, parties have already filed initial testimony in the Access  
9 Charge Docket. Thus, to substantially revise and significantly expand the scope of the proceeding at  
10 this late date, as Citizens suggests, would be inadvisable. The AUSF Docket, on the other hand, is  
11 looking at possible revisions to the Arizona Universal Service Fund Rules, through a rulemaking  
12 proceeding. The issues raised in the AUSF Docket, thus by their nature, are more conducive to a  
13 workshop process.

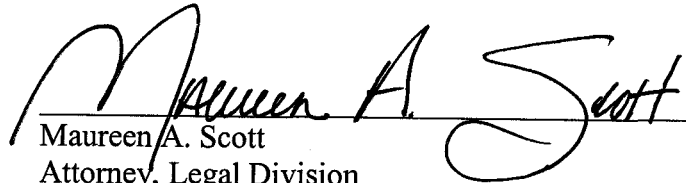
14 In addition, Citizens had ample opportunity to raise this issue before now. The Access Charge  
15 Docket was opened on September 5, 2000. On December 4, 2001, Citizens and other interested  
16 parties were asked to comment on Staff's proposed issues list. On March 28, 2002, Staff filed its list  
17 of procedural recommendations and comment by parties was once again solicited. To Staff's  
18 knowledge, Qwest was the only party to respond. On May 21, 2002, the Administrative Law Judge  
19 adopted Staff's recommendations. Intervenor direct testimony was filed on June 28, 2002. The  
20 AUSF Docket has also been pending for sometime and there have been written comments filed and at  
21 least one workshop held.

22 Finally, for the reasons set forth in it June 28, 2002 Motion to Suspend Procedural Schedule,  
23 Staff also requests that the Commission deny Citizen's Motion for Reconsideration of its July 8, 2002  
24 Procedural Order.

25 WHEREFORE, Staff respectfully requests that the Commission deny Citizen's Motion to  
26 Consolidate and Motion For Reconsideration.

27 ...

.....  
RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of August, 2002.



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Original and ~~ten~~ copies of the foregoing  
were filed this 16<sup>th</sup> day of August 2002, with:

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